

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

IN RE:)	
)	
JOSEPH DENVER LAWRENCE)	Case No. 19-35789-KRH
)	Chapter 13
Debtor)	

**MOTION TO EXPEDITE HEARING ON MOTION
TO SELL REAL ESTATE AND TO SHORTEN NOTICE PERIOD**

COME NOW the Debtor, by counsel, and move this Court to Expedite the Hearing on the Motion to Sell Real Estate and to Shorten Notice Period, and in support thereof states as follows:

1. The Debtor filed this case under Chapter 13 of the U.S. Bankruptcy Code on November 1, 2019.
2. LoanCare LLC is a secured creditor which holds a first mortgage on the property known as 5206 Futura Ave, Henrico, VA 23231, more particularly described as

ALL THAT CERTAIN LOTS, PIECES OR PARCELS OF LAND, WITH ALL IMPROVEMENTS THEREON, KNOWN AS 5206 FUTURA AVENUE, FORMERLY CARLTON AVENUE, LYING AND BEING IN THE COUNTY OF HENRICO, VIRGINIA KNOWN AND DESIGNATED AS LOTS 4,5,6, AND 7, BLOCK B ON THE PALN OF OVER HILL PARK, ALL AS IS SHOWN ON A PLAT OF SURVEY MADE BY RALEIGH E. PHELPS, CLS, DATED AUGUST 25, 1983. WHICH SAID PLAT OF SURVEY IS ATTACHED TO DEED RECORDED IN DEED BOOK 1889, PAGE 451, REFERENCE TO WHICH IS HEREBY MADE FOR A MORE COMPLETE DESCRIPTION OF THE PROPERTY.

(the "Property").

James E. Kane (VSB #30081)
KANE & PAPA, P.C.
1313 East Cary Street
Richmond, VA 23219
(804) 225-9500 (phone)
(804) 225-9598 (fax)
Counsel for Debtor

3. The approximate payoff balance on the note secured by said mortgage is \$154,000.00. The tax assessed value of the Property is \$188,100.00.

4. Debtor has entered into a contract ("Contract") for the sale of the Property to Brianna Stein for \$230,000.00, which, upon closing of the same, will result in LoanCare LLC releasing its deed of trust against the Property.

5. The amount of the sale or loan proceeds to be applied to the Debtor's obligations under the confirmed plan is \$8,902.00, which will result in full payment of all allowed claims.

6. The approximate amount of sales proceeds to be paid to the Debtor is \$17,000.00.

7. On December 15, 2021, or as soon thereafter as may be practicable, Debtor intends to the Property in accordance with the terms of the Contract.

WHEREFORE, the Debtor respectfully requests that the Court expedite the hearing on the Motion to Sell Real Estate, Shorten the Notice Period required for said Motion, and grant them such other and further relief as is just and proper.

Dated: December 1, 2021

JOSEPH DENVER LAWRENCE

By: /s/ James E. Kane
Counsel

James E. Kane (VSB #30081)
KANE & PAPA, P.C.
1313 East Cary Street
Richmond, VA 23219
(804) 225-9500 (phone)
(804) 225-9598 (fax)
Counsel for Debtor

CERTIFICATION

I, James E. Kane, pursuant to Local Rule 9013-1(N), do hereby certify that:

1. I have carefully examined the matter and concluded that there is a true need for an emergency hearing,
2. I have not created the emergency through any lack of due diligence.
3. I have made a *bona fide* effort to resolve the matter without hearing.

By: /s/ James E. Kane
James E. Kane

CERTIFICATE OF SERVICE

I hereby certify that on December 1, 2021, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to all parties registered to receive notice thereof and will mail the same by first class mail, postage pre-paid, to the parties on the attached list.

/s/ James E. Kane
Counsel for Debtor

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NOTICE OF MOTION AND HEARING

The above Debtor has filed papers with the Court to request an order to Expedite the hearing and to Shorten the Notice Period with respect to the Motion to Sell Real Estate.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to grant the relief sought in the motion, or if you want the court to consider your views on the motion, then, you or your attorney must:

- File with the court, at the address shown below, a written request for a hearing [or written response pursuant to Local Bankruptcy Rule 9013-1(H)]. If you mail your request for a hearing (or response) to the court for filing, you must mail it early enough so the court will receive it on or before the date stated above, to:

Clerk of Court
United States Bankruptcy Court
701 East Broad Street
Richmond, VA 23219

You must also mail a copy to:

James E. Kane, Esquire
KANE & PAPA, P.C.
1313 East Cary Street
Richmond, Virginia 23219

- Attend a hearing scheduled for **December 8, 2021 at 12:00 p.m. at U.S. Bankruptcy Court, 701 East Broad Street, Room 5000, Richmond, VA 23219.** If no timely response has been filed opposing the relief requested, the court may grant the relief without holding a hearing.

- **REMOTE HEARING INFORMATION:**

Due to the COVID-19 public health emergency, no in-person hearings are being held.

This hearing will take place remotely through Zoom on the date and time scheduled herein.

To appear at the hearing, you must send, by email, a completed request form (the “Zoom Request Form”), which is available on the Court's internet website at www.vaeb.courts.gov, on the page titled, “Temporary Emergency Provisions Regarding ZoomGov Remote Proceeding Access Information.” Email your completed Zoom Request Form to the email address listed for the Judge assigned to the case. Following receipt of your Zoom Request Form, Court staff will respond to the email address from which the request was submitted with additional information on how to participate through Zoom.

***The email address shall be used only to submit Zoom Request Forms. No other matters or requests will be considered by Court staff, and under no circumstances will any such matters or requests be brought to the Judge’s attention. Failure to comply with these instructions may result in appropriate action, including but not limited to the imposition of sanctions.

***** PLEASE NOTE: You MUST submit the Zoom Request Form no later than two (2) business days prior to this hearing. Any documentary evidence the parties wish to present at the hearing must be filed with the Court in advance of the hearing.**

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

Dated: December 1, 2021

JOSEPH DENVER LAWRENCE

By: /s/ James E. Kane
Counsel

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/s/ James E. Kane
Counsel for Debtor

Citibank/The Home Depot
Attn: Recovery/Centralized BK
Po Box 790034
St Louis, MO 63179

Citibank/The Home Depot
Attn: Recovery/Centralized Bankruptcy
Po Box 790034
St Louis, MO 63179

Comcast
5401 Staples Mill Road
Henrico, VA 23228

Grnsky/fifththirdbk
Attn: Bankruptcy Dept
1797 North East Expressway
Atlanta, GA 30329

Henrico Fcu
9401 West Broad Street
Henrico, VA 23294

KRS Holdings
2000 West Club Lane
Richmond, VA 23226

LoanCare LLC
Attn: Consumer Solutions Dept
Po Box 8068
Virginia Beach, VA 23450

Macy's
Attn: Bankruptcy
9111 Duke Boulevard
Mason, OH 45040

Mariner Finance
7445 Lee Davis Road
Suite 106
Mechanicsville, VA 23111

Mariner Finance, LLC
Attn: Bankruptcy
8211 Town Center Drive
Nottingham, MD 21236

Verizon
P.O. Box 660720
Dallas, TX 75266-0270

Yvette Lawrence
5206 Futura Ave
Henrico, VA 23231